



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

Josh Shapiro
ATTORNEY GENERAL

May 1, 2019

15th Floor, Strawberry Square
Harrisburg, PA 17120
(717) 783-1111

E-mail: 72140-04160473@requests.muckrock.com

Attn: Angela Farrell
MuckRock News
Dept. MR 72140
411A Highland Avenue
Somerville, MA 02144-2516

**RE: Right to Know Request
2019-123**

Dear Ms. Farrell:

This letter acknowledges receipt of your written request for records under the Pennsylvania Right-to-Know Law (65 P.S. § 67.101 *et seq.*) ("RTKL"). Both of your requests were received by this office on April 24, 2019, and merged into a single request (2019-123). The review has been completed, and this letter serves as our final response to your request.

The "identified records" are those stated in your April 24, 2019 request. Specifically, your request indicates that you are seeking the following information:

I would like all of the records for the surgery that was done to Angela S. Farrell by Dr. Denis Hurowits April 15, 2014 and on December 31, 2016 by Dr. Susan Kolb in Atlanta GA. I would like the medical records for the flourscopy especially.

A full and complete search pursuant to the requirements of the RTKL has been conducted. It has been determined that your request cannot be granted, as no responsive records have been identified.

NO RECORDS FOUND

A search was conducted, based upon the parameters of your request as set forth above, and it has been determined that the requested information does not exist as a record of this agency and we are not required to create a record that does not exist. 65 P.S. §67.705. *Moore v. Office of Open Records*, 992 A.2d 907 (Pa. Cmwlth. 2010). It should be noted that it is not a denial of

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access when an agency does not have possession, custody or control of a record and there is no legal obligation to obtain such record. 65 P.S. §67.506(d)(1). However, if you choose to interpret this letter as a denial, you may file an appeal as indicated below.

CONCLUSION

For the above reasons, your request cannot be granted. We trust that this response addresses the intent of your request.

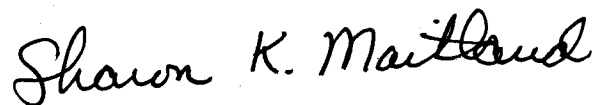
RIGHT TO APPEAL

BY PROVIDING THIS RESPONSE, THE OFFICE OF ATTORNEY GENERAL HAS SATISFIED ITS OBLIGATION TO RESPOND TO YOUR REQUEST. SHOULD YOU WISH TO CHALLENGE THIS RESPONSE UNDER THE RTKL, YOU MUST FILE AN APPEAL WITH THE RIGHT TO KNOW APPEALS OFFICER OF THE PENNSYLVANIA OFFICE OF ATTORNEY GENERAL, WITHIN FIFTEEN (15) BUSINESS DAYS OF THE MAILING DATE OF THIS LETTER. YOUR APPEAL MUST INCLUDE A COPY OF YOUR ORIGINAL REQUEST AND THIS AGENCY'S RESPONSE, STATE THE GROUNDS UPON WHICH YOU CLAIM YOUR REQUEST SHOULD NOT HAVE BEEN DENIED AND ADDRESS ALL REASONS STATED BY THIS AGENCY FOR ITS DENIAL OF YOUR REQUEST. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY RESULT IN DISMISSAL OF YOUR APPEAL. YOUR APPEAL MUST BE SENT TO THE FOLLOWING:

RIGHT TO KNOW APPEALS OFFICER
OFFICE OF ATTORNEY GENERAL
CIVIL LITIGATION SECTION
15TH FLOOR STRAWBERRY SQUARE
HARRISBURG, PA 17120

Please note that this response is being sent from an unmonitored e-mail address. Do not reply to this e-mail.

Sincerely,



Sharon K. Maitland
Deputy Attorney General
Right to Know Officer